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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
BLACKWELL, JAMES H

ART UNIT	PAPER NUMBER
2176	5

DATE MAILED: 09/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/532,462	ABHIJIT, OAK	
	Examiner	Art Unit	
	James H Blackwell	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *6/20/01* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 March 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *3* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 11 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Benson et al.

In regard to Independent Claim 1 (and similarly Claims 11 and 21), Benson et al. teaches managing a data object so as to comply with predetermined conditions for usage of the data object. To control the usage of the data object, a set of control data defining the uses of the data object is created (Abstract, lines 1-4; compare with Claim 1, 11 and 21 *"A method for utilizing an object that is dependent on object data comprising: "*). Benson et al. teaches that a copy of the data object is concatenated with the user set of control data (Col. 3, lines 33-34) Benson et al. further teaches that concatenation of the file and object data does not imply that the object data and the object are together, but rather that the object data does not reside inside the file (Col. 3, lines 32-38, Figs. 11, 12a,b). Furthermore, the control data can be stored as one or more separate files (Col 7, lines 1-2; compare with Claim 1, 11 and 21 *"storing the object data for the object separate from a file containing an instance of the object"*).

Benson et al. teaches that a user may request authorization for usage (one such use would be to display the file) of the data object residing at a data provider's processor via a data network or in any other appropriate way (Col 3 lines 45-47; compare with Claims 1, 11 and 21 *"obtaining a request to load the file"*). Benson et al. teaches that before the data package (containing the file and object data) is transferred to the user, it should be confirmed that the request for authorization for usage has been granted (Col. 3, lines 63-66; compare with Claims 1, 11 and 21 "determining if the object data is available"). Benson et al teaches that once the data package has been obtained, it is read by user software, decrypted if necessary, and is then able to be displayed by the user software (Col. 4, lines 9-22, Col 13, lines 14-28; compare with Claims 1, 11 and 21 *"obtaining the object data and utilizing the object data to display a graphical representation of the object"*).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 12 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benson et al. in view of Dougherty et al. ("The Mosaic Handbook for the X Window System").

In regard to dependent Claim 2 (and similarly Claims 12 and 22) Dougherty teaches that in NCSA Mosaic, one can choose the Delay Image Loading option under the options menu. When this is chosen, small graphic icons are loaded instead of inline images. These icons are meant as placeholders for the inline graphic that would have been loaded had the Delay Image Loading option not been selected (p. 111; compare with Claims 2, 12 and 22 *"displaying an empty graphical representation if the object data is not available"*). Dougherty does not specifically teach the display of an empty graphical representation if the object data is not available, as claimed. However, Dougherty teaches setting a Delay Image Loading flag that provides the claimed equivalent of displaying an empty graphical representation. Since selecting this switch provides a placeholder icon instead of the inline images, it would have been obvious to one of ordinary skill in the art at the time of invention for this switch to effectively render unavailable the inline graphic and any control data associated with the graphic from the point of view of the browser providing the benefit of allowing for faster web page loading.

Claims 3, 6-10, 13, 16-20, 23, 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benson et al.

In regard to dependent Claim 3 (and similarly Claims 13 and 23) Benson et al. teaches that control data can be stored in a header file and a usage file. In a preferred embodiment, the header file contains a field for storing an object identifier that uniquely identifies the control data and/or its data object (Col. 7, lines 1-5; compare to Claims 3,

13 and 23 *"storing a universally unique identifier (UUID) with the file to match the object and the object data"*). Benson et al. does not teach that the object identifier is a UUID, as claimed. However Benson et al. teaches the storage of a unique identifier that identifies the control data and/or its data object that provides the claimed equivalent of storing a UUID with the file to match the object and object data. Since storing a unique identifier for files provides the benefit of helping to connect related files together, it would have been obvious to one of ordinary skill in the art at the time of invention to store a UUID realizing that as long as the object identifier is unique within the system it is operating in either a UUID or some other unique identification would produce similar results.

In regard to dependent Claim 6 (and similarly Claims 16 and 26) Benson et al. teaches to provide such a method and system that makes it possible to sell and buy data objects in a secure way (Col. 3, lines 1-2; compare with Claims 6, 16 and 26; "*the object data is stored on a secure server*"). Benson et al. teaches that before the data package is transferred to the user, it should be confirmed that the request for authorization for usage has been granted. The check is preferably carried out before the user set of control data is created. However, it can also be carried out in parallel with or after the creation of the user control data. In the latter case, the number of usages requested by the user is tentatively authorized and included in the user set, but if the request is refused the user set is cancelled or changed (Cols. 4, lines 63-67, Col. 5, lines 1-4; compare with Claims 6, 16 and 26 *"and wherein the determining if the*

object data is available further comprises determining if the request to load the file provides proper access permissions for the object data"). Benson et al. does not specifically teach that the object data is stored on a secure server, as claimed. However, Benson et al. teaches several methods that encrypt all or parts of the data package (Col. 3, lines 39-44), which contains the data object control data, before the user copies it to their processor. Combine this with checks made to authorize access and usage (Col. 3, lines 63-67; Col. 4, lines 1-8) and one has the claimed equivalent of a secure server. Since secure servers generally require access authorization and also provide for secure data transfer, it would have been obvious to one of ordinary skill in the art at the time of invention to realize that the encryption method of Benson et al. functions similarly to what a secure server would offer providing the benefit of the secure packaging and transfer of data to the user.

In regard to dependent Claim 7 (and similarly Claims 17 and 27) Benson et al. teaches that a user may request authorization for usage of a data object residing at a provider's processor via a data network or in any other appropriate way (Col. 3, lines 45-47; compare to Claims 7, 17, and 27 *"the request to load the file originates from outside of a network where the data object is stored ..."*). Benson et al. does not specifically teach that the request to load the file occurs outside of a network where the data object is stored, as claimed. It is common for a person wanting to access data on another server in a commercial setting to use a network outside the site where the data resides thus providing the claimed equivalent of making a request for data outside of a

network where the data is stored. Since access to data is from a remote site outside the data providers network it would have been obvious to one of ordinary skill in the art at the time of invention to realize that customers would normally access a vendors data site on a network outside that of the vendor providing the benefit of security on the vendors side from theft of data products. Benson et al. teaches that before the data package is transferred to the user, it should be confirmed that the request for authorization for usage has been granted. The check is preferably carried out before the user set of control data is created. However, it can also be carried out in parallel with or after the creation of the user control data. In the latter case, the number of usages requested by the user is tentatively authorized and included in the user set, but if the request is refused the user set is cancelled or changed (Cols. 4, lines 63-67, Col. 5, lines 1-4; compare to Claims 7, 17 and 27 *"... the object data is not available because a network security mechanism determines that the request does not provide the proper access permissions"*). Benson et al. does not specifically teach of a network security mechanism denying access to data on the vendors' site, as claimed. However, according to Benson et al. there existed an authorization process that took place on the vendors' server because there existed the possibility for access to be denied (Col. 4, lines 1-4). Denying access due to improper access permissions provides the claimed equivalent of having the object data unavailable because of a network security mechanism. Having a mechanism for denying access would have been obvious to one of ordinary skill in the art at the time of invention because it was well known that commercial web providers/vendors use secure servers to transact business in a secure

manner providing the benefit of giving their customers the confidence that their transaction will not be seen by anyone and that the vendor has the assurance of protecting their commercial products.

In regard to dependent Claim 8 (and similarly Claims 18 and 28) Benson et al. teaches that a method and system is provided that allows a data object provider to distribute their data object while maintaining control of the usage thereof (Col 2 lines 58-64; compare to Claims 8, 18 and 28 *"...the separate location is on a supplier's network and a supplier maintains and updates the object data"*). Benson et al. does not specifically teach maintaining the usage of the object data per se. However, one of ordinary skill in the art at the time of invention would realize that one way a supplier would keep of control of an object or usage data would be to locate it on a server that they alone had control of and access to providing the benefit of being able to maintain and update their data.

In regard to dependent Claim 9 (and similarly Claims 19 and 29) the limitation of ***"... utilizing the object data occurs in real time across a network"*** would be obvious to one of ordinary skill in the art at the time of invention, in view of Benson et al., because Benson et al. teaches that a user may request authorization for usage of a data object residing at a data provider's processor via a network ... (Col. 3, lines 45-47). Benson et al. does not teach that utilizing the object data occurs in real time. However, one of ordinary skill in the art at the time of invention would know that the notion of real

time depends on network speed and load and therefore the definition of real time might vary from instantaneous to several seconds in time. The benefit is that the data is accessible in a timely manner such that it does not delay other actions instigated by the user of said data.

In regard to dependent Claim 10 (and similarly Claims 20 and 30) the limitation of ***"... the file is a drawing ...the object is a drawing component...the object data provides the graphical representation of the drawing component"*** would be obvious to one of ordinary skill in the art at the time of invention, in view of Benson et al., because Benson et al. teaches that a user finds an image on a bulletin board system (BBS) and is interested in using it (Col 13, lines 11-14). The user then loads a data package containing an image (the image in this case is a copy of the data object, see Col. 3, lines 33-34). Benson et al. does not teach specifically that the file is a drawing. However, one of ordinary skill in the art at the time of invention would realize that an image could be of a drawing and a drawing could be in the form of an image. In either case, the user has the benefit of a graphical representation of the object.

Claims 4-5, 14-15 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benson et al. in view of Oliver et al.

In regard to dependent Claim 4 (and similarly Claims 14 and 24) Benson et al. fails to teach *"... storing a reference to the object data in the file"*. Oliver et al. teaches about the use of a <DTD> or <DOCTYPE> tag residing on the first line of an HTML file.

The purpose of a DTD or Document Type Definition is to clarify that the HTML file conforms to a very specific HTML standard. An HTML DTD is stored on a remote server and defines the standard for the HTML contained in the HTML file (p. 360, Note). Benson et al. does not specifically teach about storing a reference to the object data in the file. However, it would be obvious to one of ordinary skill in the art at the time of invention to see that a <DTD> or <DOCTYPE> declaration placed at the top of an HTML document refers to the DTD and therefore acts as object data for the HTML file. The benefit is to provide a means to link the two documents together.

Dependent Claim 5 (and similarly Claims 15 and 25) Benton et al. fails to teach *"... the reference is a uniform resource locator (URL)"*. Oliver et al. teaches that the <DOCTYPE> tag of Claim 4 (and similarly to Claims 14 and 24) contains as one of its parameters a URL referencing the location of the DTD on a remote server (p. 360, Note). It would have been obvious to one of ordinary skill at the time of invention to realize that a URL either by itself or as a parameter within a larger <DOCTYPE> statement would provide a link to another document thus providing the benefit of linking the two documents to one another.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Blackwell whose telephone number is 703-305-0940. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

JHB

JOSEPH H. FEILD
PRIMARY EXAMINER